

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Legislative Meeting  
Tribal Court Room 1150 Bayview, Petoskey, MI 49770  
April 22, 2001  
9:30 a.m.

**Executive Session:** Yes

**Called to Order:** Meeting was called to order at 9:35 a.m.

**Council Present:** Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Susan Wysocki, Treasurer Alice Yellowbank, Councilor Janet Shomin, Councilor Bea Law, Councilor Regina Bentley

**Council Absent:** None

**Staff Present:** See attached list

**Guests:** See attached list

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**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to approve the April 22, 2001 agenda as amended.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to approve the April 08, 2001 minutes as corrected.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to move the discussion from Vice-Chairman Anthony's report to Other Items of Business section, IV-h.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Law** to accept the Acting Tribal Administrator's report.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept the Chairman's verbal report.

**Vote:** 6 Yes 1 No (**Shomin**) 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Law** and **Supported** by **Councilor Yellowbank** to allow all Tribal members to receive educational program monies regardless of where they live with those having a legal residence in the "service area" served first, and if there are funds remaining, those residing outside the "service area" are to be served.

**Vote:** 1 Yes (**Yellowbank**) 6 No 0 Abstained 0 Absent

**Motion Failed**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Bentley** to approve a mass mailing of an approved job description (by Human Resources and the Tribal Administrator) for the Education Director.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve a Work Session/Special Meeting on April 30, 2001 at 9:00 a.m. at 1150 Bayview Rd. to address Education and Health Issues.

**Vote:** 7Yes 0 No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to approve stipends, mileage and lodging for the April 30, 2001 work Session/Special Meeting, for all Tribal Councilors.

**Vote:** 7Yes 0 No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Law** to appoint Janice Shackleford to the Gaming Administration.

**Vote:** 6Yes 0 No 1Abstained (**Shomin**) 0Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to appoint Janelle D. Smith to the Indian Child Welfare Commission with the term to be determined by the Commission.

**Vote:** 6Yes 0 No (**Shomin**) 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to re-appoint George Anthony to the Natural Resources Commission for a four year term.

**Vote:** 6Yes 1 No (**Shomin**) 1Abstained (**Anthony**) 0Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to appoint John Keshick III to the Natural Resources Commission for a four year term.

**Vote:** 6Yes 0 No 1Abstained (**Anthony**) 0Absent

**Motion Carried**

**Motion** made by **Councilor Law** and **Supported** by **Councilor Bentley** to appoint Debra Smithkey-Browne to the Natural Resources Commission for a four year term.

**Vote:** 6Yes 1 No (**Yellowbank**) 0Abstained 0Absent

**Motion Carried**

**Public Comment:** Called at 11:55 a.m. Public Comment provided by Tribal Members: Gary Shomin and Ken Harrington

**Public comment:** Closed at 12:01 p.m.

**Recess:** Called at 12:01 p.m. for lunch. Meeting reconvenes at 1:31 p.m.

**Chairman Chingwa** appoints Bea Law to temporarily serve with the Enrollment Commission as a liaison to review the difficult files of the May 2, 1996 Historical Roll.

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to approve stipend, mileage and lodging for Bea Law to attend the enrollment meetings regarding the May 02, 1996 Historical Roll.

**Vote:** 5Yes 1 No (**Shomin**) 1Abstained (**Law**) 0Absent

**Motion Carried**

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**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to postpone the Zoning Statute until the May 6, 2001 Administration meeting.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to approve Waganakising Odawak Statute amendment to the Trust Fund Board Statute.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Law** to adopt resolution number #042201-01 supporting the application for Youth Violence Prevention Grant.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to adopt resolution number 042201-02 in support of the Families First Program through a contract between Little Traverse Bay Bands and the Inter Tribal Council with authorization for the Chairman to sign the contract.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to include the funeral home bill for approval of funeral assistance request A0012.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve the maximum funeral assistance benefit for request A0013 pending enrollment verification.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the maximum funeral assistance benefit for request A0014.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the maximum funeral assistance benefit for request A0015.

**Vote:** 6Yes 0No 1Abstained (**Anthony**) 0Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve the recommended changes to the Budget Formulation Process.

**Vote:** 3Yes 4No **Chairman Chingwa, Councilor Yellowbank, Councilor Law, Councilor Wysocki**) 0Abstained 0Absent

**Motion Failed**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to approve the Budget Formulation Process Statute as amended.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

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**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Law** to add to the agenda the AD/Hoc Constitution Committee Budget to be addressed immediately.

**Vote:** 7Yes 0No 0Abstained 0Absent

**Motion Carried**

**Recess:** Called at 3:37 p.m. Meeting reconvenes at 3:40 p.m.

**Motion** made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to approve a two day work session the 11<sup>th</sup> and 12<sup>th</sup> of May for the constitution, beginning at 9:00 a.m. and ending at 4:00 p.m.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to allow the Ad-Hoc Constitution Committee to participate in the May 11<sup>th</sup> and 12<sup>th</sup> work session and approve a stipend in the amount of \$75.00 dollars a day to include mileage and lodging to come from the enterprise fund budget "other" line item.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve stipend, mileage and lodging for Tribal Council members to attend the work session on the 11<sup>th</sup> and 12<sup>th</sup> of May for the constitution, beginning at 9:00 a.m. and ending at 4:00 p.m.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to postpone the Nepotism/Removal Statute until next Legislative calendar on May 20, 2001.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Law** to approve Waganakising Odawak Statute; Service of commissioners Statute.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Public Comment:** Called at 4:48 p.m. Comment provided by Tribal Members: Janice Shackelford, Deleta Smith, and Shirley Oldman.

**Public comment:** Closed at 4:57 p.m.

**Motion** made by **Councilor Law** and **Supported** by **Councilor Wysocki** to consider a proposal for Tribal membership using Tribal Preference to build the Administration's Governmental complex.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to put back on the table the Police Commission Statute for the Legislative meeting to be held on May 20, 2001.

**Vote:** 6Yes 0 No 1 Abstained (**Wysocki**) 0 Absent

**Motion Carried**

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**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to develop a draft Planning Commission Statute.

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Law** to place the record review policy on the next Legislative calendar of May 20, 2001

**Vote:** 7Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Statement Read by Vice Chairman George Anthony**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to enter into Executive Session at 5:42 p.m. for personnel/legal issues.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to return to open session at 6:53 p.m.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Wysocki** and **Supported** by **Councilor Law** to approve resolution #042201-03 "Mortgage Authorization"

**Vote:** 6 Yes 1 No (**Shomin**) 0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Shomin** and **Supported** by **Councilor Law** to extend the Prosecuting Attorney's contract for a 6 month period while the tribe is searching for a new Prosecuting Attorney. Contract to begin when the contract is signed.

**Vote:** 4 Yes 3 No (**Chairman Chingwa, Councilor Wysocki, and Councilor Yellowbank**)  
0 Abstained 0 Absent

**Motion Carried**

**Motion** made by **Councilor Anthony** and **Supported** by **Councilor Law** to adjourn the Administrative Tribal Council Meeting of April 22, 2001 at 7:00 p.m.

**Vote:** 7 Yes 0 No 0 Abstained 0 Absent

**Motion Carried**

**These Minutes have been read and approved as written:**

**Approved:**

\_\_\_\_\_  
Susan Wysocki, Tribal Council Secretary

\_\_\_\_\_  
Date

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